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COMMONWEALTH of VIRGINIA
Virginia Public Guardian & Conservator Advisory Board
1610 Forest Avenue, Suite 100
Richmond, Virginia 23229

JUNE 26, 2008

MEETING MINUTES

Members Present

Paul Aravich, Chair, Janis Selbo, Kirby Fleming, Judith Koziol, Alisa Moore, Gail Nardi (teleconference), Mary Payne, Kathy Pryor, Cynthia Smith, (teleconference) Erica Wood, Lawrence Zippin

Members Absent

Sherry Confer, Aundria Foster, Nancy Mercer, John Powell, Dana Traynham,

Ex Officio Member

Theresa Drought, Ph.D., University of Virginia School of Nursing

Guest

J. James Cotter, Ph.D., VCU Department of Gerontology (Facilitator)
Katherine Lawson, Virginia Board for People with Disabilities
Ted Susac, Jewish Family Services – Richmond, VA

VDA Staff

Faye Cates, Janet James, Jackie Taggart

Meeting Called to Order

Paul Aravich, Chair, to the VPGAB called the meeting to order at 10:15 a.m. Everyone in attendance introduced themselves.

The minutes of the March 27, 2008 VPGCAB meeting were approved and accepted, with an amendment.

Mary Payne's membership on the Board terminates on June 30, 2008. Commissioner Linda Nablo recognized her with a Certificate of Appreciation.

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There were no public comments.

Paul Aravich, Chair, informed Board members that the current slate of officers for the VPGCAB had agreed to continue in their capacity for the upcoming year.

Motion: Larry Zippin moved that the current slate of officers be adopted for the upcoming year. Motion seconded by Judith Koziol and passed unanimously.

Officers are:

Paul Aravich, Chairman	Erica Wood, Secretary	Cynthia Smith
Janis Selbo, Vice Chairman	John Powell	

Paul Aravich, Chair, introduced Dr. Cotter to the VPGCAB. Dr. Cotter will be facilitating the VPGCAB strategic planning session.

The Board was asked their mission. Mary Payne responded and with the Board's input, they agreed on the following statement:

Every Virginian who cannot obtain a private guardian, have a public guardian that is trained and provide sufficient support and capacity with the support of the Commonwealth.


Dr. Cotter discussed with the Board members the outline of his plans for the session. First, the full board would focus on the recommendations from the 2003 and 2007 Teaster Reports (See Attachment #1 and Attachment #2). With lengthy discussion, the Board combined the recommendations into two categories: funding and quality. Secondly, the members were divided into two groups to discuss the recommendations and decide on three strategic objectives for their assigned category. Initial draft of the results of the strategic planning session can be found in Appendix A.

Next Meeting Date for VPGCAB

Thursday, September 25, 2008

Adjournment

There being no further business, the meeting adjourned at 3:00 p.m.



Erica Wood, Secretary

Appendix A

Virginia Public Guardian and Conservator Advisory Board

**Strategic Planning Meeting
June 26, 2008**

(DRAFT)



COMMONWEALTH OF VIRGINIA

Department for the Aging

Linda L. Nablo, Commissioner

Virginia Public Guardian and Conservator Advisory Board

Strategic Planning Meeting

June 26, 2008

(DRAFT)

The Virginia Public Guardian and Conservator Advisory Board scheduled a strategic planning meeting to establish short-term and long-term goals for the Board, as an effort to better support the local public guardian and conservator providers. As a focal point, recommendations from the 2003 and 2007 program evaluations were utilized, with emphasis on quality of care and funding.

By statute the Virginia Department for the Aging (VDA) is required to evaluate program trends every four years (§ 2.2-712). In 2003, Pamela B. Teaster, PhD, and Karen A Roberto, PhD, conducted the first comprehensive review of Virginia's network of 10 public guardian and conservator programs.¹ Recommendations from that evaluation can be found in Attachment #1. In 2007, a second program evaluation was conducted by the same research team and others to assess the future need for public guardians in the state.² Recommendations from that evaluation can be found in Attachment #2.

J. James Cotter, PhD³, served as facilitator for the strategic planning meeting. Two small groups were established to address 1) quality of life of individuals in the programs and 2) funding requirements to expand to program to localities that are underserved.

The Quality Group

This Quality Group will work via e-mail and conference calls to finalize recommendations from the strategic planning meeting. From the 2003 program evaluation the group used the following recommendations to gauge its discussion on quality issues for program participants:

- Either regulations should be promulgated, or they should be organized into standard policies and procedures to which all programs should adhere. Such standard procedures should especially be applied to the use of ward assessment instruments, ward care plans, and time

¹ Pamela B. Teaster, Karen A. Roberto, *Virginia Public Guardian and Conservator Programs: Evaluation of Program Status and Outcomes*, distributed December 2003.

² Pamela B. Teaster, Karen A. Roberto, et al., *The Need For Public Guardians In The Commonwealth of Virginia*, distributed May, 2007.

³ J. James Cotter, Virginia Commonwealth University, Assistant Dean for Distance Education & Director, Doctoral Program in Health Related Sciences; Associate Professor, Department of Gerontology, School of Allied Professions

- A guardian-to-ward ratio needs to be established in statute, regulations, or policy. Without benefit of a specified guardian to ward ratio (written in law or regulation), the programs may fall prey to pressure to increase the number of wards they serve without a concomitant increase in funding.
- Documentation of cost savings and quality of life savings is critical, especially in years in which a formal evaluation does not take place.
- The volunteers, while providing an important function, are not without incurring real costs for the programs. The use of volunteers for guardianship services is warranted only when the programs can provide full guardian and conservator services without them.
- Even in times of fiscal constraint, the public guardians should have on-going in-service to allow them to develop and implement standardized and improved practices in the provision of guardian and conservator services.
- Rigorous accountability of all the programs needs to be maintained through record keeping that includes, at a minimum, standardized assessments, care plans, and time logs.
- Review of ward care plan and related documents should be no less than yearly, and, at regular intervals, each ward should be assessed for his or her continued need for a guardian as well as for the services of the public guardian program.
- Programs should provide standardized administrative information (e.g., administrative profile) yearly, especially information regarding fiscal and quality of life cost savings.
- Ongoing improvement is best realized through ongoing accountability, of which evaluation is a crucial mechanism. The Commonwealth should fund ongoing, independent evaluation of all the programs to ensure protection of and acceptable outcomes for wards served by the public guardians.

Strategic Planning Recommendations From the Quality Group

1. Ensure the quality of life of individuals in the public guardian program (PGP) by, e.g.:
 - a. Focusing on a person-centered approach that builds on existing (TO BE COMPLETED)
 - b. Implementing bioethical healthcare decision making training by September 30, 2009, in the following ways: PFA
 - i. Formulating a knowledge center such as Virginia Institute for Social Services Training Activities (VISSTA), College of Direct Supports, Triology, and the Knowledge Center in State Government.
 - ii. Promoting partnerships with existing hospital bioethics panels.
 - c. Using appropriate and effective tools such as: TO BE COMPLETED
 - d. Ensuring guardianship training, including judicial training.
2. Promote consistent person-centered quality outcomes throughout the state by, e.g.:
 - a. Champion Lisa Moore (EXPLANATION NEEDED)
 - b. Maintaining the 1:20 staff/client caseload ratio as the PGP expands, by the Board reviewing the program regulation, and make recommendations to VDA for the standards for implementing the regulation.
 - c. Reviewing, developing and implementing standards to support local programs.
 - d. Developing mechanisms for integration of program standards.

- e. Measuring client outcomes:

- i. By the Board defining the kind of information it needs on an annual basis regarding program operations, demographics, client outcomes, and waiting lists.
- ii. Integrating outcomes with the Department of Social Services and other agencies as needed in annual reports.
- f. Ensuring the annual contract renewals include the program standards.

The Funding Group

The Funding Group utilized the following recommendations to gauge its discussion on public guardian service needs in Virginia.

From the 2003 program evaluation:

- The public guardian and conservator programs should have statewide coverage in order to adequately serve the citizens of the Commonwealth.
- The uncertain nature of funding by the state is a constant and disturbing specter. Increased fiscal support by the Commonwealth is critical to the success of the programs.
- The programs have produced a considerable cost savings to the state—over \$2,600,000 for each year of the evaluation period. Such a cost savings indicates that the programs not only pay for themselves, but they pay for themselves over three times their funding amount in a single fiscal year.
- Out-migration of younger individuals in rural areas appears to be increasing, leaving older persons aging in place with fewer service options available to them. Meeting the needs of this population will pose new challenges for the public guardians in Virginia and will require resources sufficient to meet the challenge.

From the 2007 program evaluation:

- Fund individual programs to meet needs of the 1,441 individuals who are currently in need of guardianship/conservatorship services.
- Enhance funding steadily so that the individual programs can serve the projected increase in clients.
- Increase funding so that the public guardianship programs have statewide coverage.
- Create mechanisms in jurisdictions so that court costs for indigent clients can be waived or substantially reduced.
- Identify ways to cover the cost of the petitioning process for families who are willing to assume guardianship of indigent family members and are appropriate.
- Encourage agencies to keep a referral or waiting list as a means of starting to more systematically documenting the need for public guardianships/conservatorship services.

Strategic Planning Recommendations From the Funding Group

Target dates and responsible parties are indicated in parenthesis.

1. Seek full funding for public guardian programs to meet the unmet need:
 - a. Documented current unmet need of 1,441 people at a cost of \$4.3M
 - b. Expansion of funding to meet the needs of a growing population.

- i. Presentation to the Joint Commission on Health Care.
(September 2008: Paul Aravich and Gail Nardi)
 - ii. Development of talking points, fact sheets and stories for stake holders.
(September 2008: VDA staff to the Board Faye Cates)
 - iii. To identify and meet patrons from the General Assembly
September – October 2008: VPGCAB Legislative Committee)
- 2. Expand the capacity of the State public guardian program to serve individuals in all localities in the Commonwealth.
 - a. Establish regional partnerships in support of guardian services, working with the Local Long-Term Coordinating Councils, Area Agencies on Aging, Departments of Social Services, and Community Service Boards.
(July 2009: VDA Commissioner and Virginia Area Agencies on Aging)
- 3. Develop partnerships at the State and local levels to reduce reliance on the Public Guardianship Program by:
 - a. Working with the private bar to explore the potential for pro bono petitioning for low-income families in need of guardian services. (July 2009: John Powell and Erica Wood).
 - b. Identify additional state partners for other ways to reduce reliance on guardianship, and convene a meeting with, e.g., Virginia Coalition on Aging, the American Association of Retired Persons. (July 2009)

The Board further recommended that this strategic plan be shared with the local public guardian programs at their annual training in September 2008.

**Virginia Public Guardian and Conservator
Programs:
Evaluation of Program Status and Outcomes
December 2003**

**Virginia Public Guardian and Conservator Programs:
Evaluation of Program Status and Outcomes
December 2003**

SUMMARY: Key Points About the Conclusions and Recommendations

1. The public guardian and conservator programs should have statewide coverage in order to adequately serve the citizens of the Commonwealth.
2. Either regulations should be promulgated, or they should be organized into standard policies and procedures to which all programs should adhere. Such standard procedures should especially be applied to the use of ward assessment instruments, ward care plans, and time accounting mechanisms.
3. A guardian-to-ward ratio needs to be established in statute, regulations, or policy. Without benefit of a specified guardian to ward ratio (written in law or regulation), the programs may fall prey to pressure to increase the number of wards they serve without a concomitant increase in funding.
4. Although the reallocation of funds is an excellent way to make sure that the programs are able to serve citizens needing services, the need for such reallocation suggests that the programs are not necessarily planning the use of their fiscal resources to the best extent possible.
5. The uncertain nature of funding by the state is a constant and disturbing specter. Increased fiscal support by the Commonwealth is critical to the success of the programs.
6. The programs have produced a considerable cost savings to the state—over \$2,600,000 for each year of the evaluation period. Such a cost savings indicates that the programs not only pay for themselves, but they pay for themselves over three times their funding amount in a single fiscal year.
7. Documentation of cost savings and quality of life savings is critical, especially in years in which a formal evaluation does not take place.
8. The volunteers, while providing an important function, are not without incurring real costs for the programs. The use of volunteers for guardianship services is warranted only when the programs can provide full guardian and conservator services without them.
9. Even in times of fiscal constraint, the public guardians should have on-going in-service to allow them to develop and implement standardized and improved practices in the provision of guardian and conservator services.
10. Out-migration of younger individuals in rural areas appears to be increasing, leaving older persons aging in place with fewer service options available to them. Meeting the needs of this population will pose new challenges for the public guardians in Virginia and will require resources sufficient to meet the challenge.
11. The most common tasks of public guardians were to monitor services, followed by arranging for services.
12. Public guardians attended to the most profound needs of the ward before addressing those that are important, but perhaps not life-threatening.
13. Programs should more closely concentrate their efforts on meeting the wards' needs identified in the care plans, should review how thoroughly they plan for wards' care, and should consider whether the wards needing guardianship are appropriate for the program.
14. Rigorous accountability of all the programs needs to be maintained through record keeping that includes, at a minimum, standardized assessments, care plans, and time logs.

15. Review of ward care plan and related documents should be no less than yearly, and, at regular intervals, each ward should be assessed for his or her continued need for a guardian as well as for the services of the public guardian program.
16. Programs should provide standardized administrative information (e.g., administrative profile) yearly, especially information regarding fiscal and quality of life cost savings.
17. Ongoing improvement is best realized through ongoing accountability, of which evaluation is a crucial mechanism. The Commonwealth should fund ongoing, independent evaluation of all the programs to ensure protection of and acceptable outcomes for wards served by the public guardians.

**The Need For Public Guardians In The
Commonwealth of Virginia
May 2007**

The Need For Public Guardians In The Commonwealth of Virginia

May 2007

Conclusions

An immediate as well as future need for additional guardianship/conservatorship services exists in Commonwealth. As documented in previous studies in Virginia, the need for guardianship, the cost of the petitioning process, and a lack of suitable persons available to serve as guardian emerged as chronic problematic issues in providing guardianship services to vulnerable adults in need of such services.

Recommendations

Pursuant to the terms of the contract with the Virginia Department for the Aging, the following recommendations are made based on our interpretation of the findings of the (a) projected needs analyses and (b) surveys completed by the respondents from the participating agencies.

1. Fund individual programs to meet needs of the 1,441 individuals who are currently in need of guardianship/conservatorship services.
2. Enhance funding steadily so that the individual programs can serve the projected increase in clients.
3. Increase funding so that the public guardianship programs have statewide coverage.
4. Create mechanisms in jurisdictions so that court costs for indigent clients can be waived or substantially reduced.
5. Identify ways to cover the cost of the petitioning process for families who are willing to assume guardianship of indigent family members and are appropriate.
6. Encourage agencies to keep a referral or waiting list as a means of starting to more systematically documenting the need for public guardianships/conservatorship services.